

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3383 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE C.K.THAKKAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES
  2. To be referred to the Reporter or not? : NO
  3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
  5. Whether it is to be circulated to the Civil Judge? : NO

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SHANTILAL KALYANJI PANDIT

Versus

COLLECTOR OF JAMNAGAR & OTHERS  
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Appearance:

MR RJ OZA for Petitioner  
MR MA BUKHARI AGP for Respondent No. 1  
MR SD PATEL for Respondent No. 2  
MR PM RAVAL for Respondent No. 3  
MR PV HATHI for Respondent No. 4  
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CORAM : MR.JUSTICE C.K.THAKKAR

Date of decision: 23/03/2000

ORAL JUDGEMENT

This petition is filed by the petitioner for the following direction in terms of Para 11(A) :-

Para 11(A)

Your Lordships be pleased to issue a writ

of mandamus or a writ in the nature of mandamus or any other appropriate writ, order or direction and be pleased to declare that the inaction on the part of the respondent Nos. 1 and 2, their agents and servants, in not holding fresh election for the post of Chairman of the respondent no.2 Panchayat is illegal, null and void.

From the above prayer, it is clear that what was prayed by the petitioner was to direct the authorities to hold fresh election of the Chairman of the respondent no.2 -Panchayat in accordance with law. More than a decade has passed. In the circumstances, in my opinion, the petition has become infructuous. Even looking to the interim order passed by M.B.Shah, J. (as he then was) on November 17, 1989 also, no useful purpose would be served in deciding the questions raised in the petition.

2. Only on the above ground, the petition deserves to be disposed of without observing anything on merits. The petition is, accordingly, disposed of. Rule is discharged. No order as to costs. Liberty to apply in case of difficulty.

Date: 23/3/2000. (C.K.THAKKER,J.)

ccshah